

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**
Civil No. 22-154 (SRN/BRT)

UNITED STATES OF AMERICA,

Plaintiff,

v.

1. 15418 HAMPSHIRE LANE, SAVAGE,
MINNESOTA, *et al*,

**STIPULATION TO STAY
CIVIL CASE**

Defendants

and,

ABDIAZIZ FARAH, *et al*,

Claimants.

Plaintiff, United States of America, and Claimants Salim A. Said, Abdi Nur Salah, Abdiwahab Mohamud, Ahmed Sharif Omar-Hashim, Abdiaziz Farah, Empire Enterprises, LLC, Cosmopolitan Business Properties, LLC, Mohamed Ismail, Golis Properties, LLC, Bridge Capital, LLC, Abdifatah Aftin, BBI, LLC, Abdihakim Ali Ahmed, Five A's Projects, LLC, and Masjid Bilal Islamic Center, through their respective attorneys, and *pro se* Claimant and Sharmarke Issa, hereby stipulate and jointly move the Court for a stay of this civil proceeding until the related criminal investigation and proceedings are resolved. This Stipulation is based on the following:

1. On January 21, 2022, the Plaintiff filed a Complaint for Forfeiture *in Rem* in this matter. ECF No. 1.
2. The United States has served notice of this action in the manner provided by law on all parties believed to have an interest in the Defendants *in rem*.

3. The United States has published notice of this forfeiture action on the government's internet forfeiture website, www.forfeiture.gov. Publication commenced on March 1, 2022 and ran through March 30, 2022; therefore, any party with an interest in the Defendants *in rem* who was not otherwise been notified of this action was required to file a claim with respect to the Defendant Properties on or before May 1, 2022, pursuant to Supp. Rule G(5)(a)(ii)(B).

4. The Claimants filed Claims in this action asserting an interest in one or more of the Defendants *in rem*. (ECF Nos. 3, 5, 7, 8, 9, 11, 13, 23, 38, 43, 45, 48, 52, 56.)

5. Title 18, United States Code, Section 981(g), provides:

(1) Upon the motion of the United States, the court shall stay the civil forfeiture proceeding if the court determines that civil discovery will adversely affect the ability of the Government to conduct a related criminal investigation or the prosecution of a related criminal case.

(2) Upon the motion of a claimant, the court shall stay the civil forfeiture proceeding with respect to that claimant if the court determines that—

(A) the claimant is the subject of a related criminal investigation or case;

(B) the claimant has standing to assert a claim in the civil forfeiture proceeding; and

(C) continuation of the forfeiture proceeding will burden the right of the claimant against self-incrimination in the related investigation or case.

6. Through the Complaint, the United States asserts that the defendant properties were purchased using fraud proceeds, and that the defendant properties were involved in and are traceable to funds involved in money laundering transactions in

violation of 18 U.S.C. §§ 1341, 1343, 1349, 1956 and 1957, and that one or more of the Claimants was involved in such fraudulent activities.

7. There is an ongoing criminal investigation involving into the fraud scheme and money laundering conspiracy alleged in the Complaint. This investigation includes one or more of the Claimants and/or officers or owners of the corporate Claimants. The parties agree that there is substantial overlap between that criminal investigation and this civil forfeiture case.

8. As a result, allowing this matter to proceed and for civil discovery to commence at this time would adversely affect the ability of the government to conduct a related criminal investigation or the prosecution of one or more related criminal cases by subjecting it to written discovery and subjecting its agents and cooperating sources of information to depositions. Such discovery and depositions could force the government to, among other things, reveal information that would not be available to the subjects of the investigation in a criminal proceeding, such as the scope of the investigation, the identity of the targets and of any cooperators, and the documents seized in the investigation.

9. In addition, allowing civil discovery could also adversely affect the Claimants', or the officers and owners of the corporate Claimants', rights against self-incrimination by subjecting them to civil discovery, including written interrogatories and depositions, notwithstanding the pending criminal investigation and potential criminal charges.

United States v. 15418 Hampshire Lane, Savage, Minnesota, et al; (22-cv-154)
Stipulation to Stay Case

10. The requested order would not affect the right or obligation of any additional third parties to file a timely claim in this matter as required by Supplemental Rule G(5)(A) and 18 U.S.C. § 983(a)(4). If any such claims are filed, the requested stay order would not prevent any such claimants from requesting that the Court set aside the stay requested by this Stipulation and Motion.

11. The parties to this stipulation agree that, if the requested stay is granted, all parties would retain the right to move the Court to lift the stay no sooner than six months after any order to stay the case is entered, and all parties would also retain the right to oppose such a motion if one is filed.

Based on the foregoing, the United States and Claimants jointly request that this Court stay all proceedings in this action pursuant to 18 U.S.C. § 981(g) until the related criminal investigation and prosecution are resolved or pending further order of this Court.

Dated: July 26, 2022

ANDREW M. LUGER
United States Attorney

s/ Craig R. Baune
BY: CRAIG R. BAUNE
Assistant U.S. Attorney
Attorney ID No. 331727
600 United States Courthouse
300 South Fourth Street
Minneapolis, MN 55415
Phone: 612-664-5600
craig.baune@usdoj.gov

United States v. 15418 Hampshire Lane, Savage, Minnesota, et al; (22-cv-154)
Stipulation to Stay Case

Dated: May 11, 2022

COLICH & ASSOCIATES

s/ Michael J. Colich
MICHAEL J. COLICH
Atty. No. 17899
Colich & Associates
420 Lumber Exchange Building
10 South Fifth Street
Minneapolis, MN 55402
Phone: 612-333-7007
Fax: 612-333-0492
mcolich@colichlaw.com

Attorney for Salim A. Said

Dated: May 28, 2022

CHESTNUT CAMBRONNE PA

s/ Brian N. Toder
BRIAN N. TODER, #17869X
100 Washington Avenue South
Suite 1700
Minneapolis, MN 55401
(612) 339-7300 - Tel
(612) 336-2909 - Fax
btoder@chestnutcambronne.com

Attorneys for Abdi Nur Salah

Dated: May 17, 2022

THE LAW OFFICE OF JASON
STECK, LLC

s/ Jason Steck
JASON STECK (#0393077)
Law Office of Jason Steck, LLC
525 Park Street, Suite 320
St. Paul, MN 55103
(763) 402-1829
jason@jasonstecklaw.com

Attorney for Abdiwahab Mohamud

United States v. 15418 Hampshire Lane, Savage, Minnesota, et al; (22-cv-154)
Stipulation to Stay Case

Dated: May 31, 2022

TRAUTMANN MARTIN LAW PLLC

s/ Kristin C. Hendrick
KRISTIN C. HENDRICK (#0395049)
619 South 10th Street, Suite 201
Minneapolis, Minnesota 55404
Telephone: (952) 479-0190
Email: khendrick@trautlaw.com

Attorney for Ahmed Sharif Omar-Hashim

Dated: May 29, 2022

MEAGHER + GEER, P.L.L.P.

s/ Timothy R. Schupp
TIMOTHY R. SCHUPP (#130837)
33 South 6th Street, Suite 4400
Minneapolis, MN 55401
(612) 338-0661
tschupp@meagher.com

Attorneys for Empire Enterprises, LLC
and Abdiaziz Farah

Dated: May 27, 2022

LEVENTHAL, PLLC

s/ Seth J. Leventhal
SETH J. LEVENTHAL
Attorney ID No. 263357
4406 W. 42nd Street
Edina, MN 55416
Phone: 612-234-7349
seth@leventhalpllc.com

Attorney for Cosmopolitan Business
Properties, LLC

United States v. 15418 Hampshire Lane, Savage, Minnesota, et al; (22-cv-154)
Stipulation to Stay Case

Dated: May 27, 2022

SIEBEN & COTTER, PLLC

s/ Patrick L. Cotter
Patrick L. Cotter (#0319120)
Attorneys for Mohamed Ismail
105 Hardman Court, Suite 110
South St. Paul, MN 55075
(651) 455-1555
patrick@siebencotterlaw.com

Attorneys for Mohamed Ismail

Dated: May 27, 2022

BEST & FLANAGAN LLP

Brian J. Linnerooth
Amy S. Conners (#0387375)
Brian J. Linnerooth (#400162)
60 South Sixth Street, Suite 2700
Minneapolis, MN 55402
Telephone: (612) 339-7121
aconners@bestlaw.com
blinnerooth@bestlaw.com

Attorneys for Golis Properties, LLC

Dated: May 27, 2022

ORME & ASSOCIATES. LTD.

s/ Michael J. Orme
Michael J. Orme
Attorney No. 199333
morme@ormelaw.com
Dana K. Nyquist
Attorney No. 250211
dnyquist@ormelaw.com
4040 Nicols Road
Eagan, MN 55122
Telephone: (651) 688-7646

Attorneys for Bridge Capital, LLC

United States v. 15418 Hampshire Lane, Savage, Minnesota, et al; (22-cv-154)
Stipulation to Stay Case

Dated: May 27, 2022

TREPANIER MACGILLES BATTINA P.A.

s/ V. John Ella

V. John Ella, Attorney
8000 Flour Exchange Building
310 Fourth Avenue South
Minneapolis, MN 55415
Direct: 612.455.6237
Fax: 612.455.0501
Cell: 612.483.1538
jella@trepanierlaw.com
www.trepanierlaw.com

Attorneys for Abdifatah Aftin and BBI,
LLC

Dated: May 28, 2022

COLICH & ASSOCIATES

s/ Andrew R. Small

Andrew R. Small, Attorney #307270
Colich and Associates
10 South Fifth Street, Suite 420
Minneapolis, MN 55402
Direct: (612)333-7007
Cell: (612)875-9919
asmall@colichlaw.com

Attorney for Abdikhakim Ali Ahmed

Dated: May 17, 2022

MAPLE & ASSOCIATES

s/ Andrew Zeh

Andrew Zeh
121 South 7th Street, Room 400
Louisville, KY 40202
Minneapolis, MN 55402
Phone: (502) 585-3979
Andrew.s.zeh@gmail.com

Attorneys for Masjid Islamic Center, Inc.

United States v. 15418 Hampshire Lane, Savage, Minnesota, et al; (22-cv-154)
Stipulation to Stay Case

Dated: July 7, 2022

s/ Sharmarke Issa
SHARMARKE ISSA
Pro Se Claimant